

## Exhibit F

## CAUSE NO. C-2917-16-B

JORGE GARCIA, Individually and on behalf §  
of the Estate of ABRAHAM GARCIA, §  
deceased, LUIS ROGELIO PUENTE §  
MARTELL, Individually and on behalf of the §  
Estate of LUIS ROGELIO PUENTE §  
VILLELA, deceased, OLIVIA MIRIAM §  
VILLELA ORTIZ, Individually, and §  
DANIELLA BARAJAS Individually and on §  
behalf of the Estate of AURELIANO §  
BARAJAS, ANTONIO BARAJAS, §  
Individually §  
Plaintiffs, §

JEANETTA IZELA GARCIA FASSION, §  
INDIVIDUALLY AND AS PERSONAL §  
REPRESENTATIVE OF THE ESTATE OF §  
AURELIANO BARAJAS, DECEASED, §  
AND AS NEXT FRIEND OF AURELIANO §  
BARAJAS GARCIA, A MINOR, §  
INDIVIDUALLY, AND ANDRES §  
BARAJAS GARCIA, A MINOR, §  
INDIVIDUALLY, §  
Intervenors, §

v. §  
§

LYCOMING ENGINES, A DIVISION OF §  
AVCO CORPORATION, AND AVCO §  
CORPORATION; TEXTRON AVIATION, §  
INC., CESSNA AIRCRAFT COMPANY; §  
MCCREERY AVIATION COMPANY §  
INC.; AVIATION MANUFACTURING §  
COMPANY, INC. AND INTERSTATE §  
SOUTHWEST LTD. §  
Defendants. §

IN THE DISTRICT COURT

OF HIDALGO COUNTY, TEXAS

93<sup>RD</sup> JUDICIAL DISTRICT

**PLAINTIFF'S FIRST AMENDED PETITION IN INTERPLEADER**  
**REQUEST FOR DECLARATORY JUDGMENT**

COMES NOW, Jason C. Webster, P.C. d/b/a Webster Vicknair MacLeod, hereinafter also  
called Interpleading Plaintiff, and file its Petition in Interpleader and Request for Declaratory

Judgment, complaining of The Garcia Law Group PLLC and Brook-Hollow Capital LLC, and for cause of action would show unto the Court the following:

**I.  
JURISDICTION AND VENUE**

- 1.1 This interpleader action arises from a dispute between rival interests seeking attorney's fees earned in the above styled and numbered cause.
- 1.2 This Court has jurisdiction over the subject matter and the parties.
- 1.3 Venue is proper in Hidalgo County as the attorney's fees in dispute were earned through the confidential settlement of the above styled and numbered cause which is still pending in the 93<sup>rd</sup> District Court of Hidalgo County.

**II.  
PARTIES AND SERVICE**

- 2.1 Plaintiffs and Intervenors in the above referenced matter are all residents of Mexico who filed wrongful death and survival claims as Plaintiffs and Intervenors in the 93<sup>rd</sup> Judicial District Court of Hidalgo County. The Webster Law Firm was their counsel.
- 2.2 Interpleading Plaintiff, Jason C. Webster, P.C. d/b/a Webster Vicknair MacLeod, (WVM) is a Texas based law firm with its principal office located in Houston, Harris County, Texas. WVM represented Plaintiffs and Intervenors and settled all the Plaintiffs' and Intervenors' claims in this case. Settlement funds, including attorneys' fees earned, were deposited in the WVM's IOLTA account.
- 2.2 Defendant in Interpleader, The Garcia Law Group PLLC (GLG), is a law firm with its primary office in McAllen, Hidalgo County, Texas. GLG has already entered an appearance in this case for all purposes.
- 2.3 Defendant in Interpleader, Brook-Hollow Capital LLC (BHC), is a foreign Limited

Liability Company which conducts substantial business in the State of Texas but is not registered to do business in the State of Texas. Therefore, Brook-Hollow Capital LLC may be served by serving the Secretary of the State of Texas with forwarding of this Petition in Interpleader to Tate Johnson, President and Chief Operating Officer, 161 N. Clark, Suite 2925, Chicago, Illinois. Alternatively, BHC may be served through its registered agent Jason Workman, 415 S. Florida Blanca, Pensacola, FL 32502.

### **III.** **FACTS**

- 3.1 WVM represented Plaintiffs and Intervenors in the above styled and referenced matter.
- 3.2 In November 2023, the case settled for a confidential sum during trial.
- 3.3 Defendants and their insurers have paid all settlement funds, including attorney's fees, to WVM and WVM deposited all settlement funds into its IOLTA account.
- 3.4 All minor settlement hearings have now been completed and money due to clients has been paid. In addition, fees that are not in dispute have been distributed.
- 3.5 MLG and WVM entered into a Power of Attorney agreement with Plaintiffs and Intervenors.
- 3.6 According to the Power of Attorney, attorneys' fees earned in the case were split between MLG and WVM.
- 3.7 A dispute has arisen over attorneys' fees allegedly earned by MLG which are still in WVM's IOLTA account.
- 3.8 MLG demanded WVM pay it the attorney's fees it earned in accordance with the terms of the Power of Attorney.
- 3.9 BHC claims to have a lien interest in the attorneys' fees earned by MLG and has demanded WVM pay BHC the attorneys' fees allegedly earned by MLG.

3.10 WVM asserts that it is entitled to the attorneys' fees allegedly earned by MLG because of MLG's breach of the agreement between MLG and WVM. In addition, WVM asserts that its interest in the funds is superior to BHC's claim. As a result, WVM claims that it is entitled to the money held in WVM's IOLTA account.

**VII.**  
**INTERPLEADER and DECLARATORY JUDGMENT**

4.1 Pursuant to Rule 43 of the Texas Rules of Civil Procedure, WVM has multiple competing claims to the funds held in its IOLTA account. WVM requests that the Court declare that it is entitled to the funds and that the claims of MLG and BHC are inferior to WVM's interest.

4.2 Pursuant to 1.14(c) of the Texas Disciplinary Rules of Professional Conduct and the confidentiality agreements entered into by Plaintiffs, Intervenors and Defendants, WVM will not disclose the amount of disputed funds in this petition and will retain the attorney fees in its IOLTA account pending further orders of this Court.

4.3 WVM seeks its reasonable attorney's fees and costs of court incurred because of having to file this Interpleader action.

WHEREFORE, premises considered, Jason C. Webster P.C. d/b/a Webster Vicknair MacLeod, Interpleading Plaintiff herein pray that the Court enter judgment declaring the rights and obligations of the parties, attorneys' fees and costs of court, and for all other relief that the court deems just and equitable.

Respectfully submitted,

/s/ Steven E. Aldous

**Steven E. Aldous**

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saldous@aldous-pc.com

*Attorney for Interpleader/Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing instrument was served upon all counsel of record in accordance with the T.R.C.P., on this the 6th day of December 2024.

/s/ Jason C. Webster

Jason C. Webster

### Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

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Filing Code Description: Amended Filing

Filing Description: First Amended Petition in Interpleader

Status as of 12/6/2024 2:59 PM CST

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